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IN THE COURT OF COMMON PLEAS YORK COUNTY, PENNSYLVANIA

KRISTOFFER HEXTER,	:	
Plaintiff	:	
	:	
vs.	:	No.: 2021-FC-1007-03
	:	
SARA ASHLEY PICKETT,	:	CIVIL ACTION – LAW IN CUSTODY
Defendant	:	
	:	
vs.	:	
BRUCE HEXTER,	:	
Intervenor	:	

INTERVENOR PRE-TRIAL MEMORANDUM

SUBMITTED BY: Joshua Harshberger

COUNSEL FOR: Kristoffer Hexter, Defendant and Bruce Hexter, Intervenor

I. BRIEF SUMMARY OF CASE:

The parties are the parents and grandfather of two minor children, R.H. (YOB 2015) and A.P. (YOB 2013). Father is currently incarcerated in the State Correctional Facility Phoenix and is not eligible for parole for until February of 2026. Bruce Hexter, Paternal Grandfather, had enjoyed at least monthly time with his grandchildren prior to Father's incarceration and sentence of 4.5 years minimum. The parties are operating on custody orders dated April 7, 2022, June 3, 2022, and September 6, 2022. Grandfather filed a petition to modify and contempt. The court held a contempt hearing but has not concluded the contempt hearing due to Mother's appeal to the Superior Court. Jurisdiction has been relinquished by the Superior Court and all matters are ripe for resolution.

Paternal Grandfather is requesting to modify the custody scheduled to have one weekend a month from Friday until Sunday and one week of vacation during the summer and some holiday custody with the children. Mother has prevented Grandfather from communicating with the grandchildren since August of 2022. Mother has been abiding by the physical custody provisions of the order and Grandfather has been seeing the children monthly but not able to communicate with them outside his custodial period. It is believed that Mother is not in agreement to Paternal Grandfather's request.

II. STATEMENT OF ISSUES EXPECTED TO ARISE DURING TRIAL:

1. Whether the current custody schedule should be modified to grant Paternal Grandfather time weekend and vacation time with his grandchildren?

III. ADMISSION FROM PLEADINGS TO BE MADE PART OF RECORD:

1. None.

IV. STIPULATION OF PARTIES:

1. None.

V. STATEMENT OF OBJECTIONS OR UNUSUAL EVIDENTIARY PROBLEMS EXPECTED TO ARISE AT TRIAL:

1. None.

VI. STATEMENT OF SETTLEMENT PROSPECTS:

1. Settlement is possible.

VII. ESTIMATED TIME NEEDED FOR CONFERENCE:

1. 1 Hour.

VIII. STATUS OF EXPERT WITNESSES, REPORTS, EVALUATIONS AND STUDIES:

1. None at this time.

IX. PROPOSED EXHIBITS:

1. Pictures of Grandfather's residence.

X. PROPOSED FACT WITNESS:

1. Father: best interest of the children.
2. Grandfather: best interest of the children.
3. Mother: best interest of the children.

XI. ANY OTHER RELEVANT MATTER:

1. None at this time.

XII. PROPOSED PARENTING PLAN:

1. Mother and Grandfather share legal custody and primary physical custody.
2. Father: Legal custody to access information. No physical custody.
3. Grandfather: Shared legal custody with Mother. Physical custody one weekend a month, one week in the summer, and holiday schedule to be determined.

Respectfully submitted,

JACOBSON, JULIUS & HARSHBERGER

Date: 05/29/2024

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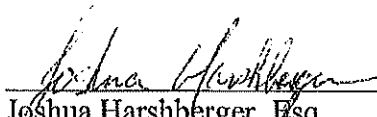
KRISTOFFER HEXTER,	:
Plaintiff	:
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	:
SARA ASHLEY PICKETT,	: CIVIL ACTION – LAW IN CUSTODY
Defendant	:
	:
vs.	:
	:
BRUCE HEXTER,	:
Intervenor	:

CERTIFICATE OF SERVICE

I, Joshua Harshberger, Esq., certify that a true and correct copy of Intervenor's Pre-Trial Memorandum was served by USPS first class mail and email upon the following:

Sara Pickett
PO Box 361
Pine Grove, PA 17963
saradoesthat@gmail.com
Plaintiff

DATE: 05/24/2024


Joshua Harshberger, Esq.